

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Lamar K. Ferebee

Docket No. 2:11-CR-37-1BR

Petition for Action on Supervised Release

COMES NOW Lakesha H. Wright, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Lamar K. Ferebee, who, upon an earlier plea of guilty to Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924, was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on June 4, 2012, to the custody of the Bureau of Prisons for a term of 83 months. It was further ordered that upon release from imprisonment, the defendant be placed on supervised release for a period of 3 years.

Lamar K. Ferebee was released from custody on February 16, 2018, at which time the term of supervised release commenced.

On March 1, 2018, a Petition for Action was submitted to the court advising that on February 26, 2018, the defendant submitted to an instant urine screen which tested positive for cocaine. The national laboratory confirmed the result on March 6, 2018. When confronted with the result, Ferebee admitted to using cocaine on February 23, 2018. In response to the violation, the defendant was ordered to serve 2 days incarceration and participate in the DROPS Program. Additionally, Ferebee was referred to PORT Health in Elizabeth City, North Carolina, for a substance abuse evaluation. He underwent the evaluation on March 2, 2018, and was recommended to participate in individual outpatient substance abuse treatment. Ferebee completed the 2-day jail sanction on April 15, 2018.

On March 30, 2018, a Violation Report was submitted to the court advising that on March 23, 2018, Ferebee was tardy for a scheduled home visit, and that when he arrived at the residence, he was operating a vehicle while his driver's license was revoked. It was further noted the defendant failed to provide a truthful response to the undersigned probation officer regarding the status of his driver's license. In response to the violations, the court concurred with the probation officer's issuance of a written reprimand.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A urine specimen collected from the defendant on May 22, 2018, was determined by the national laboratory to be positive for marijuana and cocaine. The urinalysis also indicated that the urine specimen was adulterated. When confronted with the results, Ferebee admitted to using marijuana and cocaine on May 20, 2018. He also acknowledged he used Certo, a drug detoxing agent, in an effort to mask the drug test results. Additionally, the defendant stated he used the drugs because of the stress associated with his mother's illness, his son's legal issues, and his girlfriend's pregnancy. In response to the violations, it is respectfully recommended that Ferebee be ordered to participate in mental health treatment, and that he abide by a curfew with electronic monitoring for a period of 30 days. The defendant signed a Waiver of Hearing agreeing to the proposed modifications of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be participate in a program of mental health treatment, as directed by the probation officer.

2. The defendant shall abide by adhere to a curfew as directed by the probation officer for a period not to exceed 30 consecutive days. The defendant is restricted to his residence during the curfew hours. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions, and procedures provided by the supervising officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Lakesha H. Wright
Lakesha H. Wright
U.S. Probation Officer
306 East Main Street, Room 306
Elizabeth City, NC 27909-7909
Phone: 252-335-5508
Executed On: June 11, 2018

ORDER OF THE COURT

Considered and ordered this 11 day of June, 2018, and ordered filed and made a part of the records in the above case.

W. Earl Britt
Senior U.S. District Judge

